

REMARKS

The claims in the application are 1-10, 12, 14, 16, 18, 20-23 and Claims 25-29 added by the present amendment.

Favorable reconsideration of the application as amended is respectfully requested.

The present amendment in being made in accordance with a telephone interview conducted between the Examiner in charge of the above-identified application at the Patent and Trademark Office and the undersigned attorney on Wednesday, March 8, 2006. The courtesy extended by the Examiner in arranging for and conducting the telephone interview is greatly appreciated.

Independent Claim 1 has been amended as presented for discussion during the telephone interview and further in response to discussion during the interview, this amendment finding support throughout the present application and drawings, e.g., pages 5-6 of the specification and in Fig. 3. The previously-pending claims have all been revised to reflect this amendment. Claims 25 and 28 introduced herein also find support throughout the present application, e.g., on pages 6-7 of the specification and the accompanying drawings, notably Fig. 3. Claim 26 is directed to a combination of recitation from Claim 8 and 25 while Claim 27 is directed to a combination of recitation from Claims 5, 6, 9, 10 and 22 and Claim 29 finds explicit support on page 7 of the specification and in Figs. 6 and 7.

Accordingly, the amendment to the claims herein finds clear, unequivocal support throughout the present application and drawings. Therefore, the only outstanding issue is the art rejection of the claims.

More explicitly, all Claims 1-24 have been rejected under 35 U.S.C. §103 as obvious over the combination of U.S. Pat. No. 5,936,842 to Kaiser et al in view of GB 2,069,767 to Buchele et al. However, the present invention as recited in all pending claims is patentable over this combination of art, for the following reasons (reference will be made to preferred embodiments of the present invention illustrated in the drawings of the present application).

The present invention explicitly improves adapting gate or door drive housing for different drive components such as a motor, drive transmission and control. When necessary, the door drive housing can be easily and reliably expanded to securely retain larger and/or more numerous door drive components. These and other advantages are explicitly attained by the gate or door drive housing as recited in independent Claim 1 and which comprises

a bowl or shell-shaped basic carrying body 3 arranged to receive different drive components 5,6,7 secured thereto,

a housing extension 20 arranged to be connected to the main carrying body 3 in an exact fit and detachable manner on front, rear, and lateral sides to accommodate the additional and/or larger drive components,

with the basic carrying body 3 having a first recess 11 to accommodate a drive motor 5, a second recess 10 to accommodate a drive system 6 and a third recess 12 to accommodate a control device 7, all being separated from one another by elevated securing flanges 13,14, and

the housing extension 20 also comprising at least one recess for

accommodating more and/or larger drive components.

The features of the presently claimed invention together with the accompanying advantages attained thereby, are neither disclosed nor suggested by the applied art, for the following reasons.

It is acknowledged on page 2 of the Office Action Kaiser et al fail to teach a housing extension detachably connectable with an exactly fit on front, rear and lateral sides of a base body as recited in the presently claimed invention.

Concerning the observation that Kaiser et al show a shell-shaped basic carrying body 12 having different drive components 16, 18, 22, 24 and 26 (Fig. 2), as pointed out during the telephone interview, Kaiser et al fail to show housing comprising three separate recesses for respectively accommodating a drive motor, system(gear) and control device, with these recesses being separated from one another by respective elevated flanges and a housing extension also having a recess for accommodating more and/or larger drive components.

Buchele et al fail to add to the teachings in Kaiser et al, for the following reasons. Buchele et al are directed to modular housing for DIN-junction boxes and comprising several components 1 snap-fitted 2 together to form a base for a socket matrix 3 and various lid elements 5a, 5b, 5c that can be snapped together in any desirable fashion. Accordingly, Buchele et al are from an unrelated field to Kaiser et al, so one skilled in the art would not even look to Buchele et al to remedy the deficiencies in Kaiser et al.

Furthermore, even if one skilled in the art would, hypothetically, look to combine the teachings of Buchele et al with Kaiser et al, such a combined teaching still fails to suggest the present invention and accompanying advantages. For example, Buchele et al fail to show a "main" body divided into three distinct recesses for accepting drive components and separated by elevated flanges. Components 5a, 5b, 5c constitute lid elements and do not resemble extensions or extension parts designed to support weighty drive components as in the present invention. Fig. 9 of Buchele et al relates to interlocking the various base units 1 together (page 2, column 1, lines 13-28), unlike the presently claimed invention where the tongue 29 and recess 30 arrangement couples the various extensions 22-25 together about the main body 3 to which the extensions are separately coupled. Attention is respectfully called, e.g., to several of the dependent Claims herein, notably Claims 16, 18, 22 and 27-29 in this regard.

The remaining art of record has not been applied against the claims and will not be commented upon further at this time.

Accordingly, in view of the forgoing amendment, accompanying remarks and telephone interview in the above-identified application, it is respectfully submitted all claims pending herein are in condition for allowance. Please contact the undersigned attorney should there be any questions. A petition for an automatic two month extension of time for response under 37 C.F.R. §1.136(a) is enclosed in triplicate together with the requisite petition fee, RCE filing papers and RCE filing fee.

Early favorable action is earnestly solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "George M. Kaplan", is written over a horizontal line.

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